

In The United States District Court
For The Northern District of OklahomaLindsey Kent Springer,
Movant,

v.

United States of America, Case No. 13-CV-145
(Formerly 09-CR-0413)
Respondent.

FILED

MAR 27 2014

Phil Lombardi, Clerk
U.S. DISTRICT COURTMotion For Identity of
Statutory Authority of
Honorable Stephen P. Fruet.

Lindsey Kent Springer ("Movant") moves the Court for identity of the statutory authority for Honorable Stephen P. Fruet to sit in one of the four Article III, § 1 and 28 U.S.C. § 133(a) district judge offices Congress ordained and established in the Northern District of Oklahoma.

It is no secret Honorable Stephen P. Fruet has sat in cases involving Movant since March 31, 2009 in the Northern District of Oklahoma, see 09-CR-0413 and 13-CV-145.

Equal no dispute can be made with the fact Stephen P. Fruet is a 28 U.S.C. § 133(a) district judge in one of the 6 offices Congress ordained and established for the judicial district known as the United States District Court for the Western District of Oklahoma.

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 C/J C/MJ C/Ret'd No Env
 No Cphys No Env/Cphys O/J O/MJ

Congress no doubt established each district judge to hold his office for good behavior at 28 U.S.C. § 133(a), pursuant to 28 U.S.C. § 134.

On December 30, 2008, and presumably for more than a decade, the Chief Judge of the Tenth Circuit has issued a document naming each Article III district judge to 1-year terms in districts opposite their name.

Since each Northern District Article III district judge office has remained occupied from March 31, 2009 through present, the question arises what office does Stephen P. Fruet hold in the Northern District.

Movant acknowledges the recent order by Honorable Stephen P. Fruet refusing to disqualify and seeks specific identification of exactly what Statutes does Stephen P. Fruet claim authorizes him to hold an Article III, § 1 and 28 U.S.C. § 133(a) district judge office in the Northern District of Oklahoma. For the last five years.

Does the Court contend Congress gave a sitting Chief Judge authority to create Article III, § 1 and 28 U.S.C. § 133(a) district judge offices in addition to those established at 28 U.S.C. § 133(a)?

Since Movant's liberty and property, as well as process due is at stake, in this § 2255 proceeding,

Movant has a right to know by what Congressional authority does Honorable Stephen P. Froot preside in the Northern District of Oklahoma for 5 years or more?

Movant is certain Honorable Stephen P. Froot would not wish to preside in any case, and in any judicial district, without Congressional authority to do so.

Conclusion

Movant respectfully request Honorable Stephen P. Froot identify exactly what Congressional authority he contends authorizes his presiding in the Northern District of Oklahoma, as an Article III, §1 and 28 U.S.C § 133(a) district judge, with specific identity as to which of the four §133(a) offices is he holding, how long his term in that office is set for, and all possible theories involving any other provision of law.

Respectfully

Lindsey H. Essinger
Reg # 02580-063

Federal Satellite Law - La Tuna
P.O. Box 6000
Anthony, New Mexico 88021.

Certificate of Service

I hereby certify that I mailed on March 23 2014 the above motion to the Clerk of Court, 333 West Fourth Street, Tulsa Oklahoma 74103.

I further certify that all parties shall receive service through the Courts ECF System:

Danny C. Williams

Charles A. O'Reilly

Jeffrey A. Gallant

~~Indsey Springer~~
Service

Declaration of Mailing

I declare, pursuant to 28 U.S.C § 1746(1), under penalty of perjury, under the laws of the United States of America, that on March 23, 2014 I deposited the above Motion in the U.S. Mailbox located inside FSL lawna

~~Indsey Springer~~
declaration

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Phil Lombardi, Clerk
U.S. DISTRICT COURT

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